

ARTICLE V. STOPPING, STANDING AND PARKING*

*Cross references: Parking in floodways, etc., § 37-42(13).

Sec. 17-101. Applicability.

(a) The provisions of this article prohibiting the standing, stopping or parking of a vehicle shall apply at all times or at those times herein specified or as indicated on official signs except when it is necessary to stop a vehicle to avoid conflict with other traffic or in compliance with the directions of a police officer, police aide or official traffic-control device. The provisions of this article imposing a time limit on parking shall not relieve any person from the duty to observe other and more restrictive provisions prohibiting or limiting the standing, stopping or parking of vehicles in specified places or at specified times.

(b) The provisions of this article shall apply to the driver of any vehicle owned by or used in the service of the United States government, state, county or city, and it shall be unlawful for any such driver to violate any of the provisions of this article, except as otherwise permitted in this article or by state statute.

(Code 1972, §§ 11-901, 11-903(C))

Sec. 17-102. Presumption.

(a) In any prosecution charging a violation of any of the provisions of this article governing the standing or parking of a vehicle, the person in whose name such vehicle is registered shall be prima facie responsible for such violation and subject to the penalty therefor.

(b) The provisions of subsection (a) of this section shall apply to those persons in whose names such vehicle is jointly registered. The persons shall be jointly and severally prima facie responsible for such a violation and subject to penalty therefor.

(Code 1972, § 11-903(A), (B))

Sec. 17-103. Payment of penalty fee upon receipt of notice of violation.

(a) Any person who becomes aware that a notice of violation has been issued with respect to an alleged violation of any provision of this article may, in lieu of court proceedings, pay the penalty fee set forth below within twenty (20) days of the date of violation indicated on the notice of violation.

TABLE INSET:

Code Section	Penalty Fee
17-106.....	\$15.00

17-106(18).....	\$47.00
17-107.....	\$15.00
17-108.....	\$15.00
17-109.....	\$15.00
17-110.....	\$15.00
17-111.....	\$15.00
17-111.1.....	\$15.00
17-112.....	\$15.00
17-113.....	\$15.00
17-114.....	\$15.00
17-115.....	\$15.00
17-116.....	\$15.00
17-117.....	\$15.00
17-118.....	\$15.00
17-119.....	\$15.00
17-120.....	\$15.00
17-121.....	\$15.00

17-122.....	\$15.00
17-123.....	\$15.00
17-124.....	\$50.00
17-125.....	\$50.00
17-126.....	\$15.00
17-127.....	\$15.00

(b) If the owner or operator of a vehicle for which a notice of violation has been issued fails to pay the penalty fee within twenty (20) days from the date the notice of violation was issued, the penalty fee for the violation shall be thirty dollars (\$30.00), with the exception of the offenses of unlawful parking in a specially designated and marked space for the physically disabled which shall be sixty-five dollars (\$65.00); offenses in violation of Scottsdale Revised Code sections 17-106(18) and 17-125 which shall be ninety dollars (\$90.00). The notice of violation shall provide written notice to the owner or operator informing him of the violation and of the increased penalty fee, giving notice that a failure to pay the penalty fee within twenty (20) days of the date of violation will result in legal action in city court to collect the penalty fee plus other costs as provided in this section.

(c) The owner or operator of a vehicle for which a notice of violation has been issued may contest the violation by requesting a hearing. The request for hearing shall be made within twenty (20) days of the date of the notice of violation. The hearing will be set in city court upon issuance of a summons and complaint.

(d) If the owner or operator of a vehicle for which a notice of violation has been issued fails to pay the amount of the civil penalty, or request a hearing within twenty (20) days of the issuance of the notice of violation, then a summons and complaint shall be issued to the registered owner of the vehicle. The summons shall command the registered owner to appear in the city court on a date and time certain.

(e) When a person is found responsible for a violation by a judge or a hearing officer, whether by default or after hearing, the judge or hearing officer shall impose a civil sanction for the violation, which shall be not less than the amount of the increased civil penalty fee for the violation as provided in section (b), above.

(f) A civil sanction imposed under this section, whether by default or after hearing, shall be a judgment. Such judgment may be recovered by the city as any other civil judgment including any applicable fees and charges as provided by chapter 9 of the Scottsdale revised code. Failure to pay a civil sanction, whether by default or after a hearing, may be used to establish a habitual offender violation as provided in section 17-128.

(g) The penalty fees or civil sanctions established or described in this section are exclusive of any fees, surcharges and penalties required by state statutes. The total amount to be paid for any violation shall consist of the penalty fee or civil sanction shown in this section, plus all applicable fees, surcharges and penalties.

(Code 1972, § 11-926; Ord. No. 1966, § 1, 7-6-87; Ord. No. 2019, § 1, 6-6-88; Ord. No. 2042, § 1, 9-6-88; Ord. No. 2610, § 1, 12-20-93; Ord. No. 2807, 7-18-95; Ord. No. 3257, § 1, 10-4-99)

Sec. 17-103.1. Procedure.

(a) The rules of procedure in civil traffic violation cases shall apply to determinations of whether or not a person is responsible for an offense under this article, unless otherwise expressly provided.

(b) An action or proceeding brought before the city court alleging a violation of this article may be commenced by the filing of a summons and complaint; which may be served in person, or by regular mail as provided in Arizona Revised Statutes section 28-1591; or by the use of an Arizona traffic ticket and complaint. If the proceeding is commenced by summons and complaint, the complaint may be signed by any police officer or any other duly authorized agent of the city police department.

(c) Any person receiving a notice of violation may request and receive a hearing prior to the filing of a summons and complaint, as provided in section 17-103(c).

(Ord. No. 2019, § 2, 6-6-88; Ord. No. 3257, § 2, 10-4-99)

Sec. 17-103.2. Commencement of action.

A parking, stopping or standing violation case shall be commenced by the filing of a summons within ninety (90) days of the alleged violation.

(Ord. No. 3257, § 3, 10-4-99)

Sec. 17-104. Enforcement generally.

(a) It shall be the duty of each police officer or other duly authorized agent to keep account of all violations of this article and to take the following actions:

(1) Report the date, time and location of the parking, stopping or standing violation.

(2) Report the state license number of any vehicle which is in violation of this article.

(3) Report any other facts, a knowledge of which is necessary to a thorough understanding of the violation and its attending circumstances.

(4) Attach to a vehicle which is unlawfully parked a notice of violation which includes the date, time and location of the violation, the state license number of the vehicle unlawfully parked, reference to the provisions violated, and notice that within twenty (20) days from the date of which the notice was issued the penalty fee must be paid to and received by the city.

(b) "Other duly authorized agent" includes:

(1) Employees of the police department.

(2) Any other person authorized by the chief of police in writing.

(3) Employees of Rural/Metro Fire Department who have been authorized by the chief of the fire department, in writing, to have the authority to issue civil fire code violations.

(4) Such required written authorizations shall be filed with the city clerk.

(Code 1972, § 11-904; Ord. No. 2610, § 2, 12-20-93; Ord. No. 2807, 7-18-95; Ord. No. 3257, § 4, 10-4-99)

Sec. 17-105. Issuance of notice of violation.

In an action involving unlawful parking, a copy of the notice of violation need not be personally served upon the owner or operator of the vehicle but may be served by attaching a copy to the vehicle.

(Code 1972, § 11-905)

Sec. 17-106. When prohibited generally.

No person shall stop, stand or park a vehicle, except when necessary to avoid conflict with other traffic or in compliance with law or the directions of a police officer, police aide or traffic-control device, in any of the following places:

- (1) Where prohibited by official signs or where the curb is painted red.
- (2) Within a designated bus stop.
- (3) On a sidewalk, or in that area between the curb and sidewalk.
- (4) On those roadways without curbs in a manner so as to force a pedestrian to walk in the traveled portion of the roadway.
- (5) Within parking stall safety zones as designated by the city.
- (6) Beyond perimeters of parking stalls as designated by the city.
- (7) In front of a public or private driveway or the entrance to an alley.
- (8) Within an intersection.
- (9) Within fifteen (15) feet of a fire hydrant.
- (10) On or in a pedestrian crosswalk.
- (11) Within twenty (20) feet of a crosswalk at an intersection.
- (12) Within thirty (30) feet upon the approach to any flashing beacon, stop sign or traffic-control signal located at the side of a roadway.
- (13) Within twenty (20) feet of the driveway entrance to any fire station and on the side of the street opposite the entrance to any fire station within seventy-five (75) feet of the entrance when properly posted.
- (14) Along side or opposite any street excavation or obstructions when stopping, standing or parking would impede traffic.
- (15) On the roadway side of any vehicle stopped or parked at the edge or curb of the street.
- (16) Upon any bridge or other elevated structure upon a street or within a street tunnel.
- (17) Upon any street, right-of-way or public property when such vehicle does not display current registration.
- (18) Vehicles shall not be placed or kept near fire hydrants, fire department inlet connections or fire-protection system control valves in a manner that would prevent such equipment or fire hydrants from being immediately discernible.

(Code 1972, § 11-906; Ord. No. 1966, § 2, 7-6-87; Ord. No. 2467, § 1, 8-31-92; Ord. No. 2807, 7-18-95)

Sec. 17-107. Outside business or residential districts.

Upon any street outside of a business or residential district, no person shall stop, park or leave standing any vehicle, whether attended or unattended, upon the paved or main-traveled part of the roadway.

(Code 1972, § 11-907)

Sec. 17-108. Abandoning vehicles on public property.

(a) In this section, unless the context otherwise requires:

Abandoned vehicle means any vehicle, trailer or semi-trailer of a type subject to registration under title 28 of Arizona Revised Statutes [§ 28-101 et seq.], which has been left within the right-of-way of a highway, road, street or public thoroughfare, or upon public property, without being moved, for an extended period of time. Evidence that a vehicle was left unattended or unmoved for a period of seventy-two (72) hours within the right-of-way of a highway, road, street or other public thoroughfare, or upon public property, shall be prima facie evidence that the vehicle was abandoned.

(b) No person shall abandon a vehicle upon any street, highway, road, other public thoroughfare or other public property. This subsection shall not apply to vehicles owned by the city which are parked or stored on public property. Any police officer, or other duly authorized agent who has reasonable grounds to believe that a vehicle has been abandoned in violation of this subsection may remove or cause the removal of such vehicle from any street, highway, road, or other public property. The procedures in subsection (c) shall be used prior to citation or removal pursuant to this subsection. The abandonment of any vehicle in a manner provided in this subsection shall constitute a presumption that the last registered owner of record is responsible for such abandonment and shall be subject to the provisions of this section, unless an affidavit has been filed pursuant to Arizona Revised Statutes section 28-4844, reporting the vehicle as being stolen, or a stolen report has been accepted by a local law enforcement agency, or written notification of the transfer of title has been filed pursuant to Arizona Revised Statutes section 28-2058. The registered owner of the abandoned vehicle shall be responsible for the payment of any and all charges incurred in the removal and subsequent storage of the vehicle, unless it is shown that the registered owner was not the legal owner at the time of the offense. A violation of this subsection constitutes a civil traffic offense. The last registered owner of the vehicle shall be presumed to be responsible for the unlawful abandonment and this presumption shall apply in any adjudication of the issue which may occur. The provisions of Arizona Revised Statutes sections 28-4801 through 28-4843 shall apply in all respects to the removal, towing, storage and sale of abandoned vehicles impounded under this subsection.

(c) When an officer or other duly authorized agent has reason to believe that a vehicle has been abandoned in violation of subsection (b), a written notice shall be placed upon the vehicle in a conspicuous place. The notice shall state:

(1) That if the vehicle is not moved from its location within three (3) days from the date and time recorded by the officer or other duly authorized agent at the time of preparation of the notice, it will be in violation of this section.

(2) That if the vehicle is not moved from its location within six (6) days from the date and time recorded by the officer or other duly authorized agent at the time of preparation of the notice, it will be removed from its location and stored pursuant to this section.

Within forty-eight (48) hours of the removal of an abandoned vehicle pursuant to this subsection, the police department shall send written notice of removal to the registered owner of the vehicle at the owner's last known address. The notice shall be sent by certified mail, return receipt requested, and shall state the reason for removal, the location of the vehicle and how it may be recovered. It shall also include a telephone number at the police department that can be called for additional information.

(d) Nothing in this section requires the police department, its officers or other duly authorized agents, to give written notice of towing, removal or storage of any vehicle other than as provided in this section. This section does not limit the power and authority of the police department, its officers or other duly authorized agents to take such action when they may otherwise be required or permitted to do so under the laws of the state or the city.

(Code 1972, §§ 11-907.01--11-907.03; Ord. No. 1882, § 1, 3-17-86; Ord. No. 3257, § 5, 10-4-99)

Sec. 17-109. Hazardous or congested places.

(a) The city may determine and designate, by proper signs, places in which the stopping, standing or parking of vehicles would create an especially hazardous condition or would cause unusual delay to traffic.

(b) When official signs are erected at hazardous or congested places as authorized herein, no person shall stop, stand or park a vehicle in any such designated place.

(Code 1972, § 11-908)

Sec. 17-110. Alleys.

No person shall stand or park a vehicle in an alley at any time except for the loading or unloading of materials, and not then unless such loading or unloading can be accomplished without blocking the alley to the free movement of traffic or without interfering with or obstructing the operation of a fire escape. Such parking shall not exceed twenty (20) minutes total time except that vehicles displaying the state "physically disabled parking" identifying insignia may stand or park in an alley while loading or unloading persons for a period not to exceed five (5) minutes.

(Code 1972, § 11-909)

Sec. 17-111. Parking for certain purposes.

No person shall park a vehicle upon any roadway for the principal purpose of displaying such vehicle for sale, displaying advertising, displaying commercial exhibits, or washing, greasing, or repairing such vehicle, except repairs necessitated by an emergency.

(Code 1972, § 11-910)

Sec. 17-111.1. Parking vehicles for sale.

No person shall park or permit to be parked any motor vehicle for the purpose of sale upon any lot or area within the city which is unpaved, except that one (1) motor vehicle may be displayed for sale when the motor vehicle is owned by the owner or resident of the property and the motor vehicle is not being offered for sale in connection with an automobile sales business. The display of any signs or other markings indicating that a motor vehicle is for sale shall be prima facie evidence that the motor vehicle has been parked for sale or permitted to be parked for sale.

(Ord. No. 2297, § 1, 6-4-90)

Sec. 17-112. One-way roadways.

In the event a highway includes two (2) or more separate roadways and traffic is restricted to one (1) direction upon any such roadway, no person shall stand or park a vehicle upon the left-hand side of such one-way roadway unless signs are erected to permit such standing or parking. The city may

determine when standing or parking may be permitted upon the left side of any such one-way roadway and erect signs giving notice thereof.

(Code 1972, § 11-911)

Sec. 17-113. Over-sized vehicles on residential streets.

No person shall park or store a commercially registered vehicle with a chassis rated for more than one (1) ton nor any vehicle greater than twenty-two (22) feet in length on streets or alleys in a residential area or zone except while loading, unloading, delivering or making a service call at a residence.

(Code 1972, § 11-912)

Sec. 17-114. Improper angle parking.

No person shall park a vehicle upon those streets which have been signed or marked by the city for angle parking, other than at the angle to the curb or edge of the roadway indicated by such signs or markings.

(Code 1972, § 11-913)

Sec. 17-115. Parking time limited on certain streets.

When signs are erected in each block giving notice thereof no person shall park a vehicle for longer than specified thereon, except physicians on emergency calls, and except for a vehicle displaying a state "physically disabled parking" identifying insignia. A vehicle displaying a state "physically disabled parking" identifying insignia may park for a period of time equal to double the period of time specified for the block in which such vehicle is parked.

(Code 1972, § 11-915)

Sec. 17-116. Parking time limits.

On those city streets, driveways, public parking lots, and public parking structures, which have been signed or marked for parking restriction by the city, no person shall park a vehicle for a period of time longer than specified.

(Code 1972, § 11-916)

Sec. 17-117. Permit parking zones.

The city may determine the location of permit parking zones and may place and maintain appropriate signs and/or markings indicating the same. No person shall park a vehicle in a designated permit parking zone without displaying in a clearly visible manner a permit issued by the city manager.

(Code 1972, § 11-917)

Sec. 17-118. Police parking lot.

The parking lots immediately east of the police department building located near the intersection of Second Street and Seventy-fifth Street are restricted solely for use by the police department. No person shall be cited nor vehicle towed away unless the chief of police or an authorized agent posts signs for such lots.

(Code 1972, § 11-918)

Sec. 17-119. Curb loading zones.

(a) The city may determine the location of passenger and freight curb loading zones and shall place and maintain appropriate signs indicating the same and stating the hours during which the provisions of such zones are applicable.

(b) No person shall stop, stand or park a vehicle for any purpose or period of time other than for the loading or unloading of passengers in any place marked as a passenger curb loading zone during hours when the regulations applicable to such curb loading zone are effective, and then only for a period not to exceed three (3) minutes, except that a vehicle displaying a state "physically disabled parking" identifying insignia may stand or park in a passenger curb loading zone for a period not to exceed five (5) minutes while loading or unloading persons.

(c) When signs are erected giving notice thereof, no person shall stop, stand or park a vehicle in a freight curb loading zone between the hours of 7:00 a.m. and 6:00 p.m. of any day except Sundays and public holidays. The provisions of this subsection do not apply to commercial vehicles bearing commercial plates engaged in the unloading and delivery or pickup and loading of materials which may be parked in any freight loading zone for a period of time not to exceed thirty (30) minutes between 7:00 a.m. and 6:00 p.m.

(d) The driver of a passenger vehicle may stop temporarily at a place marked as a freight curb loading zone for the purpose of and while actually engaged in loading or unloading passengers when such stopping does not interfere with any motor vehicle used for the transportation of materials which is waiting to enter or about to enter such zone. Vehicles displaying state "physically disabled parking" insignia may stand or park in a freight or curb loading zone for a period not to exceed five (5) minutes while loading or unloading persons.

(Code 1972, §§ 11-919--11-921)

Sec. 17-120. Public carrier stops and stands.

(a) The city may establish bus stops, bus stands, taxicab stands and stands for other passenger common carrier motor vehicles on such public streets in such places and in such number as determined to be of the greatest benefit and convenience to the public, and every such bus stop, bus stand, taxicab or other stand shall be designated by appropriate signs.

(b) No person shall stop, stand or park a vehicle other than a bus in a bus stop or other than a taxicab in a taxicab stand when such stop or stand has been officially designated and appropriately signed, except that the driver of a passenger vehicle may temporarily stop therein for the purpose of and when actually engaged in loading or unloading passengers when such stopping does not interfere with any bus or taxicabs waiting to enter such zone.

(Code 1972, §§ 11-922, 11-924)

Sec. 17-121. Buses and taxicabs.

(a) The operator of a bus shall not:

(1) Stand or park such vehicle upon any street at any place other than a bus stand so designated as provided in this article.

(2) Stop such vehicle upon any street at any place for the purpose of loading or unloading passengers or their baggage other than at a bus stop, bus stand or passenger loading zone so designated as provided in this article, except in case of an emergency.

(b) The operator of a bus shall enter a bus stop, bus stand or passenger loading zone on a public street in such a manner that the bus when stopped to load or unload passengers or baggage shall be in a position with the right front wheel of such vehicle not further than eighteen (18) inches from the curb and the bus approximately parallel to the curb so as not to unduly impede the movement of other vehicular traffic.

(Code 1972, § 11-923)

Sec. 17-122. Permits for loading and unloading at angle.

(a) The city may issue special permits to permit the backing of a vehicle to the curb for the purpose of loading or unloading merchandise or materials subject to the terms and conditions of such permit. Such permits may be issued either to the owner or lessee of real property or to the owner of the vehicle and shall grant to such person the privilege as therein stated and authorized herein.

(b) It is unlawful for any permittee or other person to violate any of the special terms or conditions of any such permit.

(Code 1972, § 11-925)

Sec. 17-123. Private parking areas--Generally.

(a) No person shall park a vehicle in any private parking area without the express or implied consent of the owner or person in lawful possession of such property.

(Ord. No. 2242, 5-15-89)

Editor's note: Ordinance No. 2242, adopted May 15, 1989, amended § 17-123 in its entirety to read as set out in §§ 17-123--17-123.5. Formerly, § 17-123 pertained to improved parking areas and derived from Code 1972, §§ 11-1301, 11-1302.

Sec. 17-123.1. Same--Consent; notice to public.

(a) The owner or person in lawful possession of any paved private parking area shall be deemed to have given consent to unrestricted parking by the general public in such parking area unless such parking area is posted with signs as prescribed by this section which are clearly visible and readable from any point within the parking area and at each entrance thereto. The signs shall contain the following information:

(1) Restrictions on parking.

(2) That violator's vehicle will be towed away at violator's expense.

(3) The telephone number of the police department.

(4) Maximum cost to the violator, including storage fees and any other charges that could result from the disposition of his vehicle parked in violation of parking restrictions.

(5) Each sign shall state "Scottsdale Revised Code Sections 17-123 through 17-123.5.

(b) No person shall tow or transport a vehicle from a private parking area unless the signs are posted as required by this section, and contain all the information specified in paragraph (a).

Note-- See the editor's note following § 17-123.

Sec. 17-123.2. Same--Permission required to remove vehicles.

No person shall tow or transport any vehicle from a private parking area without the permission of the owner or operator of the vehicle unless such person receives the express written permission from the owner or agent of the owner of the private parking area. The owner or his agent shall either sign each towing order or authorize the towing by written contract which is valid for a specific length of time. The person towing or transporting the vehicle may not act as the agent of the owner.

(Ord. No. 2242, 5-15-89)

Note-- See the editor's note following ;s 17-123. ;sh5 Same--Notice to police.

Any person towing or transporting any vehicle from any private parking area without the express permission of the vehicle owner, shall notify the police department immediately upon the taking of such action and provide the following information:

- (1) The name and address of the owner of the vehicle, if known.
- (2) The vehicle license number and description.
- (3) The reason the vehicle was moved without the permission of the person parking such vehicle.
- (4) The location where the vehicle was taken.
- (5) The name, address and telephone number of the person or company that towed or transported the vehicle.

(Ord. No. 2242, 5-15-89)

Note-- See the editor's note following ;s 17-123.

Sec. 17-123.3. Maximum towing charges, twenty-four-hour vehicle retrieval.

- (a) The maximum rate and charge for towing, transporting and impounding a motor vehicle from private property without the permission of the owner or operator of the vehicle shall be seventy-five dollars (\$75.00).
- (b) No person towing or transporting the vehicle from a private parking area shall charge any fee or amount in excess of the amount specified in this section.
- (c) Any person towing or transporting a vehicle from the private parking area shall maintain personnel able and authorized to release any vehicle to its owner on a twenty-four-hour basis seven (7) days a week.

(Ord. No. 2242, 5-15-89)

Note-- See the editor's note following ;s 17-123.

Sec. 17-123.4. Same--Penalties.

Violations of sections 17-123 through 17-123.4 shall be punishable as a class one misdemeanor as set forth in section 1-8 of this Code.

(Ord. No. 2242, 5-15-89)

Note: See the editor's note following § 17-123.

Sec. 17-124. Stopping, standing or parking prohibited in places reserved for the physically disabled.

(a) Except as provided in subsection (d), no person may stop, stand or park a motor vehicle within any specially designated and marked parking space provided for a physically disabled person, which includes the area indicated by hash marks painted adjacent to each such space, in accordance with this section, Arizona Revised Statutes Section 28-882, or any related statute or City Code provision, whether on public or private property, unless the motor vehicle is transporting a person eligible for the distinguishing insignia placard or number plates bearing the international wheelchair symbol, and either:

(1) The motor vehicle displays the distinguishing insignia placard; or

(2) The motor vehicle displays number plates bearing the international wheelchair symbol.

(b) Parking spaces subject to this section shall be clearly and conspicuously designated as being reserved for the physically disabled in the following manner:

(1) Each such space shall be prominently outlined with paint and the internationally accepted wheelchair symbol shall be painted conspicuously on the ground to the rear of the parking space.

(2) Each space shall be posted with a permanent sign, located not less than three (3) feet nor more than six (6) feet above the grade. The sign shall bear the internationally accepted wheelchair symbol and shall indicate that the parking space is "reserved" or "reserved parking." Signs conforming to the standards found in the manual on uniform traffic control devices, revised edition, published by the United States Department of Transportation, Federal Highway Administration, shall be deemed to be in compliance with this subsection. Signs which substantially comply with the provisions of this subsection, however, shall not be deemed to be insufficient for failure to comply strictly with the manual.

(3) Each sign posted on a parking place reserved for the physically disabled on private property shall additionally indicate: "Posted pursuant to City Code Section 17-124." The addition of this statement on such sign or signs shall constitute a waiver of any objection by the owner of the property to enforcement of this section by the police department and shall authorize police officers and other duly authorized agents to enforce the provisions of this section.

(c) If a police officer or other duly authorized agent finds a motor vehicle in violation of this section, a complaint shall be issued to the operator or other person in charge of the motor vehicle, or a notice of violation placed on the vehicle, as appropriate.

(d) Any person who is chauffeuring a physically disabled person shall be allowed, without a distinguishing insignia placard or number plates bearing the international wheelchair symbol, to park momentarily in any such parking space for the purpose of loading or unloading such physically disabled person. No complaint shall be issued to the driver for such momentary parking.

(e) Physically disabled person, as used herein, means a person who is physically disabled within the meaning of Arizona Revised Statutes § 28-2409, or any superseding statute.

(Code 1972, §§ 11-914, 11-1401; Ord. No. 2042, § 2, 9-6-88; Ord. No. 3257, § 6, 10-4-99; Ord. No. 3567, § 1, 4-20-04)

Sec. 17-124.1. Physically disabled parking enforcement program.

Pursuant to Arizona Revised Statutes section 28-886, the chief of police is authorized to establish a volunteer enforcement specialist program. The purpose of the program will be to educate local businesses and the general public as to the laws and ordinances regulating parking in spaces specially designated and marked for the physically disabled, and to assist the police department in enforcement

of these laws and ordinances. Citizen volunteers who participate in the program established pursuant to this section, upon written authorization as specified in section 17-104(b), shall become duly authorized agents with the authority to issue notices of violation of parking laws and ordinances regulating parking in specially designated and marked spaces provided for the physically disabled, but shall not be authorized to issue notices of violation or citations for any other parking, traffic, criminal or other public offense.

(Ord. No. 2303, § 1, 10-1-90; Ord. No. 3257, § 7, 10-4-99)

Sec. 17-125. Fire lanes.

It shall be unlawful for any vehicle, equipment or device to park in or block a fire lane, which has been established and is marked pursuant to the provisions of chapter 36 of the City Code.

(Ord. No. 1966, § 3, 7-6-87; Ord. No. 2807, 7-18-95)

Sec. 17-126. City parks.

It shall be unlawful to park a motor vehicle in a city park except in an area specifically designated for parking or during times as may be designated. It shall be unlawful to camp or park overnight in any city park or recreation area parking lot.

(Ord. No. 1966, § 4, 7-6-87)

Sec. 17-127. Parking wrong way.

Except as otherwise provided by law, every vehicle stopped or parked upon a roadway where there are adjacent curbs shall be so stopped or parked with the right-hand wheels of the vehicle parallel to and within eighteen (18) inches of the right-hand curb.

(Ord. No. 1966, § 5, 7-6-87)

Sec. 17-128. Habitual offenders.

(a) Any person who commits a violation of this article, after previously having been found responsible for three (3) or more violations of this article within a twelve-month period, whether by default or by judgment after hearing, and who has not paid the civil sanctions required by the court for those offenses (underlying offenses) shall be guilty of a class three misdemeanor.

(b) The payment of the civil sanctions due on an underlying offense, when such payments are made after the issuance of a summons and complaint on a charge of being a habitual offender, shall not be a defense to the habitual offender charge.

(c) Upon conviction of a violation of this section, the court may impose a sentence as provided by section 1-8 of the Scottsdale Revised Code. The court shall order a person who has been convicted of a violation of this section to pay a fine of not less than two hundred fifty dollars (\$250.00), exclusive of any other fees, surcharges and penalties required by state statute, for each count upon which a conviction under this section has been obtained. A judge shall not grant probation to or suspend any part or all of the imposition or execution of any sentence required by this subsection except on the condition that the person pay the mandatory minimum fines and other fines and charges as provided in this subsection.

(d) Every action or proceeding under this section shall be commenced and prosecuted in accordance with the laws of the state relating to criminal misdemeanors and the Arizona Rules of Criminal Procedure.

(Ord. No. 2019, § 3, 6-6-88; Ord. No. 3257, § 8, 10-4-99)

Secs. 17-129--17-135. Reserved.